

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 3567 of 2026**

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RASIKBHAI CHHALIYABHAI CHAUDHARY & ORS.
Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR ASHISH M DAGLI(2203) for the Applicant(s) No. 1,2,3,4,5,6,7,8,9
MS KRINA CALLA, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE VIMAL K. VYAS

**Date : 15/04/2026
ORAL ORDER**

1. Heard learned advocate Mr. Ashish Dagli appearing for the applicants and learned APP Ms. Krina Calla appearing for the respondent – State.

2. Perused the entire material on record along with the impugned FIR. It prima facie appears that, initially, the FIR came to be registered against the accused, namely, Dr. Ankit Chaudhari, dated 16.05.2026, under Sections 69 and 351(3) of the Bharatiya Nyaya Sanhita, 2023. Subsequently, Section 54 of the Bharatiya Nyaya Sanhita, 2023, and Sections 4(1), 4(2) (a)(b), and 4(c)(1) of the Gujarat Freedom of Religion (Amendment) Act, 2021, were added on 12.12.2025.

3. The Court has considered the provisions of Section 6 of

the Gujarat Freedom of Religion Act, 2003.

4. Considering the entire material on record, it prima facie appears that though the aforesaid Sections were added in December, 2025, the Investigating Officer has not applied for the previous sanction of the District Magistrate as required under Section 6 of the Gujarat Freedom of Religion Act, 2003.

5. In view of the aforesaid, issue **NOTICE** to the respondents, making it returnable on **07.05.2026**.

6. Learned APP Ms. Krina Calla waives service of notice for and on behalf of the respondent no.1 – State of Gujarat.

7. In the meanwhile, investigation may continue, however, charge-sheet for the offence punishable under the Gujarat Freedom of Religion Act, 2003, shall not be filed against the present applicants only, till the returnable date.

(VIMAL K. VYAS, J)

DEEPAK GEHLOT